ROBERT KNUTS (RK-0967) DAY, BERRY & HOWARD LLP 875 Third Avenue New York, NY 10022 (212) 829-3620

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

v. : 05 Civ. 5231 (LTS)

AMERINDO INVESTMENT ADVISORS INC., ALBERTO WILLIAM VILAR, and GARY ALAN

TANAKA,

Defendants. :

Pursuant to paragraph III of the Preliminary Injunction Order and Order To Appoint A Monitor for Amerindo and To Conduct An Examination of Client Accounts, dated June 2, 2005, (the "Order"), I hereby accept the appointment as Monitor under the terms of the Order.

Dated: New York, New York June 3, 2005

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TO: See attached service list

## Service List

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